



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

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"To Enrich Lives Through Effective And Caring Service"

Board of Supervisors
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September 02, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:
JESSE OWENS NEW BASKETBALL COURT PROJECT
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT
SPECS. 7268; CAPITAL PROJECT NO. 69722
SECOND DISTRICT
(3 VOTES)**

SUBJECT

The recommended actions will adopt the plans and specifications for the Jesse Owens New Basketball Court Project; provide for the Project to be advertised for construction bids; authorize the Director of Public Works, or her designee, to execute a consultant services agreement with the apparent Lowest Responsive and Responsible Bidder for the preparation of a baseline schedule; and authorize the award of a construction contract for the Project.

IT IS RECOMMENDED THAT THE BOARD:

1. Adopt the plans and specifications that are on file with the Department of Public Works' Architectural Engineering Division for construction of the Jesse Owens New Basketball Court Project, at Jesse Owens Park, at an estimated construction contract cost of \$565,000.
2. Instruct the Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on September 23, 2014, in accordance with the Instruction Sheet for Publishing Legal Advertisements.
3. Authorize the Director of Public Works, or her designee, to execute a consultant services agreement with the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule for a \$1,500 not-to-exceed fee funded by existing project funds, and to

establish the effective date following Board approval.

4. Delegate authority to the Director of Public Works, or her designee, to reject all nonresponsive bids and determine, in accordance with the applicable contract and bid documents, whether the apparent Lowest Responsive and Responsible bidder has timely prepared a satisfactory baseline construction schedule that satisfies all conditions for contract award, including the criteria adopted by the Board for contract award. Upon determination that all such conditions have been satisfied, authorize the Director of Public Works, or her designee, to award and execute the construction contract, in the form previously approved by County Counsel, to the apparent Lowest Responsive and Responsible Bidder, and to establish the effective date of the contract upon receipt of acceptable performance and payment bonds and evidence of required contractor insurance, and to take all actions necessary and appropriate to fully deliver the Project.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will adopt the plans and specifications for the Jesse Owens New Basketball Court Project (Project), provide for the Project to be advertised for construction bids, authorize the Director of Public Works, or her designee, to execute a consultant services agreement with the apparent Lowest Responsive and Responsible Bidder for the preparation of a baseline schedule, and authorize the award of a construction contract for the Project.

The Project is substantially funded by Proposition 40, State Youth Soccer Grant Funds that expire on June 30, 2015, and all construction activities and payments must be completed prior to the grant's performance period expiration date. An adopt, advertise, and award Board letter is recommended to the Board to ensure timely completion of the Project.

Jesse Owens Park is located at 9651 South Western Avenue, Los Angeles, California 90047. The Department of Parks and Recreation (Parks) provided a facility program to add a basketball court, benches, bleachers, fencing, exercise equipment, and site work to the existing park.

On April 15, 2014, the Board found that the Project scope of work is categorically exempt from the provision of the California Environmental Quality Act (CEQA), approved the Project budget, an appropriation adjustment, and established the Project.

It is recommended that the Board authorize the Director of Public Works, or her designee, to award and execute a construction contract to the apparent Lowest Responsive and Responsible Bidder (as defined in the Facts and Provisions/Legal Requirements Section of this letter), if the low bid is within the estimate of new construction costs (\$565,000), or if it exceeds the estimate by no more than 10 percent (\$621,500) and contingent on that bidder completing a baseline schedule that conforms to the County's specifications. If there are no bids within \$621,500 or the Project cannot be completed within the total Project budget, the Department of Public Works (Public Works) will return to the Board with recommendations for alternative scope and/or funding.

The proposed consultant services agreement requires the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule that conforms to the County's schedule specifications, which is critical to successfully manage construction activities by both the contractor and the County. Bid documents provide that if the apparent Lowest Responsive and Responsible Bidder fails to complete an acceptable construction schedule, the Director of Public Works, or her designee, may recommend that the bidder be determined nonresponsive and recommend awarding the construction contract to the next apparent Lowest Responsive and

Responsible Bidder, contingent on that bidder completing a baseline schedule, schedule of values, and submittal list that conforms to the County's specifications.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness/Fiscal Sustainability (Goal 1), Community Support and Responsiveness (Goal 2), and Integrated Service Delivery (Goal 3), by maximizing the effectiveness of process, structure, and operations to support timely delivery of customer-oriented and efficient public service.

FISCAL IMPACT/FINANCING

On April 15, 2014, the Board approved a total Project budget of \$900,000; including plans and specifications, plan check fees, construction, change orders contingency, Civic Art allocation, consultant services, miscellaneous expenditures, and County services. Public Works' fair construction cost estimate for the construction contract is \$565,000 without contingency. The Project Schedule and Budget Summary are included in Attachment A.

The Project is funded with a \$700,000 Proposition 40, State Youth Soccer Grant, and \$200,000 from Park in-Lieu Fee (QUIMBY) Accumulated Capital Outlay Funds to fully fund the Project.

Sufficient appropriation is available in the Fiscal Year (FY) 2014-15 Capital Project/Refurbishments Budget to proceed with the Project.

Operating Budget Impact

Based on the Project description, Parks anticipates one-time costs of approximately \$3,000 for trash containers; and additional ongoing costs of approximately \$16,000 for maintenance, electrical, and irrigation supplies. Parks will work with the Chief Executive Office (CEO) to confirm the appropriate level of funding through its FY 2014-15 New Facilities Request.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contracts will contain terms and conditions supporting the Board's ordinances and policies including, but not limited to, County Code Chapter 2.200, Child Support Compliance Program; County Code Chapter 2.202, Contractor Responsibility and Debarment; County Code Chapter 2.203, Contractor Employee Jury Service Program; County Code Chapter 2.206, Defaulted Property Tax Reduction Program; Board Policy No. 5.050, County's Greater Avenues for Independence (GAIN) and General Relief Opportunities for Work (GROW) programs; Board Policy No. 5.060, Reporting of Improper Solicitations; Board Policy No. 5.110, Contract Language to Assist in Placement of Displaced County Workers; and Board Policy No. 5.135, Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law). The proposed supplemental agreements will be approved as to form by County Counsel.

Applicable law, including the State Public Contract Code, requires the County to award a construction contract to the apparent Lowest Responsive and Responsible Bidder, which refers to the firm that: (1) submits the lowest bid price; (2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to have demonstrated the quality, fitness, capacity, experience, and trustworthiness to satisfactorily perform the work required under the bid solicitation.

To ensure that the contract is awarded to the apparent Lowest Responsive and Responsible Bidder with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the contractors State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the bidder will be considered before contract award.

As required by the Board's Civic Art Policy adopted on December 7, 2004, and amended on December 15, 2009, the Project cost includes 1 percent of design and construction costs allocation to the Civic Art Fund.

ENVIRONMENTAL DOCUMENTATION

On April 15, 2014, the Board found that the Project is categorically exempt under CEQA Guidelines, Sections 15302(c), 15303(d) (e), and 15304(a) (b) (f), and Classes 2(e), 3 (a) (b), and 4 (a) (c) (k) of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G because the Project provides for minor alteration of existing facilities, installation of new accessory structures and small new equipment, replacement of existing structures, minor grading, and landscaping. Public Works filed a Notice of Exemption with the Registrar-Recorder/County Clerk. The recommended actions are within the previously approved Project scope.

CONTRACTING PROCESS

A standard contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

As required by the Board, language has been incorporated into the Project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees that they may be eligible for the Federal Earned Income Credit under the Federal Income Tax Law (Federal Income Tax Law, Internal Revenue Service Notice 1015).

Advertising for bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements (Attachment B).

As required by the Board on February 3, 1998, this contract opportunity will be listed on the "Doing Business with Us" website, free of charge. Following receipt of bids and award of the consultant services contract for preparation of a baseline construction schedule to the apparent Lowest Responsive and Responsible Bidder, we will award a construction contract in accordance with the authority delegated in this Board letter. The contract requires the contractor to pay its employees applicable prevailing wages in accordance with the California Labor Code.

Participation by Community Business Enterprises (CBE) in the Project is encouraged through Public Works' Capital Projects' CBE Outreach Program and by monitoring the good-faith efforts of bidders to utilize CBEs.

A copy of the plans and specifications are on file in the Architectural Engineering Division of Public Works.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no impact on current County services or projects during the performance of the recommended actions.

CONCLUSION

Please return one adopted copy of this Board letter to the CEO's Facilities and Asset Management Division; and the Department of Public Works, Project Management Division II.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'WTF', followed by a horizontal line.

WILLIAM T FUJIOKA
Chief Executive Officer

WTF:SHK:DJT
SW:RB:LL:rp

Enclosures

c: Executive Office, Board of Supervisors
County Counsel
Arts Commission
Auditor-Controller
Parks and Recreation
Public Works

September 2, 2014

ATTACHMENT A

**DEPARTMENT OF PUBLIC WORKS:
JESSE OWENS NEW BASKETBALL COURT PROJECT
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT
SPECS. 7268; CAPITAL PROJECT NO. 69722
(SECOND DISTRICT)
(3 VOTES)**

I. PROJECT SCHEDULE

| Project Activity | Scheduled Completion Date | Revised Scheduled Completion Date |
|--|----------------------------------|--|
| Design Construction Documents Jurisdictional Approvals | 05/29/2014 07/30/2014 | 07/14/2014* 08/14/2014* |
| Construction Bid and Award | 09/30/2014 | 09/30/2014 |
| Construction Substantial Completion Project Acceptance | 03/04/2015 04/22/2015 | 03/04/2015 04/22/2015 |

*Indicates completed activity.

II. PROJECT BUDGET SUMMARY

| Budget Category | Project Budget |
|---|----------------|
| Land Acquisition | \$ 0 |
| Construction | |
| Construction Contracts | \$ 565,000 |
| Change Orders | \$ 57,000 |
| Civic Arts | \$ 7,000 |
| Subtotal | \$ 629,000 |
| Plans and Specifications | \$ 60,000 |
| Consultant Services | |
| Deputy Inspection | \$ 9,000 |
| Geotech/Soils Report | \$ 20,000 |
| Topographic Surveys | \$ 10,000 |
| Cost Estimating | \$ 2,000 |
| Subtotal | \$ 41,000 |
| Miscellaneous Expenditures | |
| Countywide Contract Compliance | \$ 5,000 |
| Printing | \$ 1,000 |
| Subtotal | \$ 6,000 |
| Jurisdictional Review/Plan Check/Permit | |
| Regional Planning | \$ 2,000 |
| Fire Department | \$ 3,000 |
| Building and Safety Plan Check | \$ 4,000 |
| Subtotal | \$ 9,000 |
| County Services | |
| Code Compliance and Quality Control Inspections | \$ 18,000 |
| Contract Administration | \$ 7,000 |
| Project Management | \$ 13,000 |
| Project Management Support Services | \$ 78,000 |
| Project Technical Support | \$ 11,000 |
| Consultant Contract Recovery | \$ 22,000 |
| Contingency | \$ 6,000 |
| Subtotal | \$ 155,000 |
| Total | \$ 900,000 |

September 2, 2014

ATTACHMENT B

**DEPARTMENT OF PUBLIC WORKS:
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PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for two weeks in a weekly newspaper or ten times in a daily newspaper. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

**OFFICIAL NOTICE
INVITING BIDS**

Notice is hereby given that the Director of Public Works will receive sealed bids for furnishings, materials, labor, and equipment required to complete construction for the following work:

| <u>SD</u> | <u>SPECS</u> | <u>PROJECT</u> | <u>BID DOC. FEE</u> | <u>DATE OF BID OPENING</u> |
|------------------|---------------------|---|------------------------------------|---------------------------------------|
| 2 | 7268 | Jesse Owens Basketball Court Project 9651 South Western Avenue Los Angeles, CA 90047 | \$75 | September 23, 2014 |

Copies of the project manual and drawings may be downloaded for free from the Public Works website <http://dpw.lacounty.gov/general/contracts/opportunities/>; or for \$75 copies of the project manual and drawings may be obtained at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine Floor, Alhambra, California 91803. For bid information, please call (626) 458-2563. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office no later than 10:45 a.m. on September 23, 2014. Bids will be publicly opened, examined, and declared by Public Works at 11:00 a.m. on this date in Department of Public Works Architectural Engineering Division's Conference Room, 900 South Fremont Avenue, Alhambra, California 91803.

Bids must conform to the drawings and project manual and all bidding requirements. This project requires the prime contractor to possess an active B license classification at the time of bid submittal. The contractor should verify to his/her satisfaction that he/she holds the correct license for this type of project.

The contractor and all of its subcontractors of any tier shall be required to pay prevailing wages to all workers employed in the execution of the work of improvement in accordance with Labor Code Section 1770 et seq. Copies of prevailing rate of per diem wages are on file at the Department of Public Works, Architectural Engineering Division, which shall be made available to any interested party upon request.

PRE-BID CONFERENCE

The Public Works Project Management Team will hold a prebid conference on September 10, 2014, at 10:00 a.m. at the project job site located at 9651 South Western Avenue, Los Angeles, CA 90047 to provide information on the project, bidding process, and answer any questions that the potential bidders may have. For further directions, please contact Mr. Mark Martinez with the Public Works Architectural Engineering Division at (626) 458-2540.

OTHER INSTRUCTIONS

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts, as defined in Section 2000 of the Public Contract Code, to contract with Community Business Enterprises.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical or inconsequential errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al telefono (626) 458-2563.



Upon 72 hours notice, Public Works can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at our main office in Alhambra (900 South Fremont Avenue), which is accessible to individuals with disabilities. To request accommodations ONLY, or for more ADA information, please contact our departmental ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7 a.m. to 5:30 p.m.



Con 72 horas de noticia, el Departamento puede proveerle información y publicaciones sobre el programa y formatos alternativos o hacer adaptaciones para incapacitados. Además, documentación sobre el programa está disponible en nuestra oficina principal en Alhambra (900 South Fremont Avenue), la cual es accesible para individuos con incapacidades. Para solicitar adaptaciones SOLAMENTE, o para mas información del ADA, pongase en contacto con nuestro Coordinador del ADA del Departamento al (626) 458-4081 o TDD (626) 282-7829, de lunes a jueves de las 7 a.m. a 5:30 p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California dated September 2, 2014.

Specs. 7220

SACHI A. HAMAI, EXECUTIVE OFFICER
OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES